

REMARKS

Claims 20, 21, 23 to 28, and 30 to 80 are pending. Claims 20, 21, 23 to 28, and 50 to 72 are allowed. Claims 73 to 80 are objected to. Claims 30 to 49 and 75 to 80 are rejected under 35 U.S.C. § 112. Applicants acknowledge with appreciation the withdrawal of the previous rejection of claims 20, 21, 23 to 28, and 30 to 80 under 35 U.S.C. § 112, first paragraph, and the previous rejection of claims 20, 21, 30, 33, 38, 43, 54, and 66 under 35 U.S.C. § 112, second paragraph. Applicants are amending claims 30 and 38, and canceling claims 73 to 80, without prejudice or disclaimer.

Amendment to the Claims

Applicants are herein amending claim 30 to delete “for preventing or treating retroviral infections.” Applicants submit that no new matter is introduced by the amendment to claim 30, deleting an intended use of the claimed kit.

Applicants are herein amending claim 38 to further clarify that the method is useful for treating retroviral infection, as suggested by the Office. Applicants submit that no new matter is introduced by the amendment to claim 38. Support for the amendment to claim 38 may be found, *inter alia*, in original claims 8 and 14.

Applicants are herein canceling claims 73 to 80, without prejudice or disclaimer. Applicants explicitly reserve the right to file one or more continuing applications directed to the cancelled subject matter.

Rejection under 35 U.S.C. § 112, First Paragraph

Claims 30 to 37, 75, and 76 are rejected under 35 U.S.C. § 112, first paragraph, for allegedly lacking enablement with respect to the prevention of retroviral infections. While not conceding the merits of the rejection and solely to expedite the prosecution of the

application, applicants are herein amending claim 38 to delete “for preventing or treating retroviral infections.” Applicants are also canceling claims 75 and 76, without prejudice or disclaimer. Applicants submit that the amendment to claim 30 (from which claims 31 to 37 directly or indirectly depend) and cancellation of claims 75 and 76 render moot the rejection of claims 30 to 37, 75, and 76. Accordingly, applicants request withdrawal rejection of the claims under 35 U.S.C. § 112, first paragraph.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 38 to 49 and 77 to 80 are rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. While not conceding the merits of the rejection and solely to expedite the prosecution of the application, applicants are herein amending claim 38 to further clarify that the compositions are useful in methods of treating a retroviral infection, as suggested by the Examiner. Applicants are also canceling claims 77 to 80, without prejudice or disclaimer. Applicants submit that the amendment to claim 38 (from which claims 39 to 49 directly or indirectly depend) and cancellation of claims 77 and 80 render moot the rejection of claims 38 to 49 and 77 to 80. Accordingly, applicants request withdrawal rejection of the claims under 35 U.S.C. § 112, second paragraph.

Objection to Claims

Claims 73 to 80 are objected to as allegedly being duplicative. While not conceding the merits of the objection and solely to expedite the prosecution of the application, applicants are herein canceling claims 73 to 80, without prejudice or disclaimer, thereby rendering moot the objection to the claims. Accordingly, applicants request withdrawal of the objection to claims 73 to 80.

Conclusions

Applicants respectfully request:

- (1) entry of the amendments to the claims;

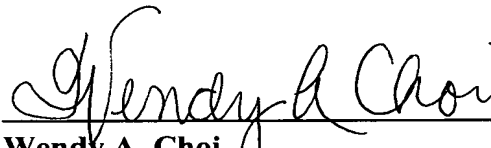
DOCKET NO.: TIBO-0003
Application No.: 10/606,342
Office Action Dated: December 9, 2005

PATENT

- (2) reconsideration and withdrawal of the rejections of and objection to the claims based on the foregoing remarks and arguments; and
- (3) allowance of claims 20, 21, 23 to 28, and 30 to 72.

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (404) 459-5642.

Date: **March 6, 2006**



Wendy A. Choi
Registration No. 36,697

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439